



Order Filed on May 5, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

20-09505 BKMFR01  
BROCK & SCOTT, PLLC  
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Attorneys for Freedom Mortgage Corporation

In Re:

KEVIN MICHAEL O'CONNOR

Case No: 19-31145-CMG

Hearing Date: May 5, 2021

Judge: CHRISTINE M.  
GRAVELLE

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY  
AND/OR MOTION TO DISMISS  
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

**DATED: May 5, 2021**

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle  
United States Bankruptcy Judge

Applicant: Freedom Mortgage Corporation  
Applicant's Counsel: Matthew Fissel, Esquire, Brock & Scott, PLLC  
Debtor(s)' Counsel: William H. Oliver, Jr, Esquire  
Property Involved ("Collateral"): 115 Hawthorne St, Neptune, NJ 07753

Relief sought: ☒ Motion for relief from the automatic stay  
☐ Motion to dismiss  
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor(s)' future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 8 months, from September 2020 to April 2021.  
☒ The Debtor is overdue for 3 payments at \$1,698.07 per month.  
☒ The Debtor is overdue for 5 payments at \$1,778.82 per month.  
☒ The Debtor owes a total of \$18,303.04 in property taxes disbursed to Neptune Township on his behalf.  
☐ The Debtor assessed for \_\_\_\_\_ late charges at \$ \_\_\_\_\_ per month.  
☐ Applicant acknowledges receipt of funds in the amount of \$ \_\_\_\_\_ received after the motion was filed.  
☒ The Debtor has a post-petition suspense balance of \$781.85.

Total Arrearages Due: \$31,509.50

2. Debtor(s) must cure all post-petition arrearages, as follows:

☐ Immediate payment shall be made in the amount of \$ \_\_\_\_\_. Payment shall be made no later than \_\_\_\_\_.

☐ Beginning on May 1, 2021, regular monthly mortgage payments shall continue to be made in the amount of \$1,778.82.

☐ Beginning on \_\_\_\_\_, additional monthly cure payments shall be made in the amount of \$\_\_\_\_\_ for \_\_\_\_\_ months.

☒ The amount total amount of \$32,547.50, representing both the arrearages described above as well as the attorney's fees and costs described below, shall be capitalized in the Debtor's Chapter 13 plan and paid off along with the pre-petition arrearages in full.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment:

\_\_\_\_\_  
\_\_\_\_\_

☒ Regular monthly payment:

Freedom Mortgage

Attn: Cash Processing

10500 Kincaid Drive

Fishers, IN 46037

☐ Monthly cure payment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. In the event of Default:

☒ If the Debtor(s) fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor(s)' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and the Debtor(s)'s attorney.

☒ If the bankruptcy case is dismissed, converted, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$850.00, and costs of \$188.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within \_\_\_ days.

☐ Attorneys' fees are not awarded